

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**ROSS S. MCCA  
D.O.C. # 156073**

**DOCKET NO. 6:19-cv-0574  
SECTION P**

**VERSUS**

**JUDGE TERRY DOUGHTY**

**DARREL VANNOY**

**MAGISTRATE JUDGE HANNA**

**JUDGMENT**

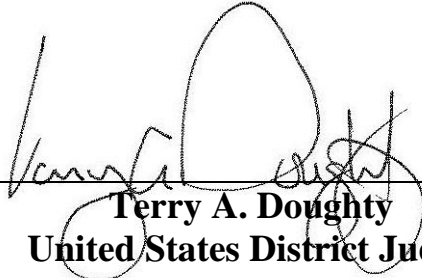
On December 03, 2019 a Report and Recommendation [Doc. No. 6] was filed by Magistrate Judge Hanna. On page 8, paragraph 2, “**III. Conclusion**” of this Report and Recommendation, it states, “Based on the foregoing, IT IS RECOMMENDED that the instant petition be DISMISSED “*WITHOUT*” PREJUDICE as time barred. This should have read DISMISSED “*WITH*” PREJUDICE. To correct the mistake, on December 10, 2019, an Amended Report and Recommendation [Doc. No. 7] was filed into the record.

On December 17, 2019 Petitioner filed an Objection [Doc. No. 8] to the “original” Report and Recommendation, however to the Amended Report and Recommendation [Doc. No. 7], no objection was filed. Considering this Objection to the original Report and Recommendation, (and considering the fact that even if the objection had been filed to the Amended Report and Recommendation), the outcome would have been no different. Therefore,

For the reasons stated in the Amended Report and Recommendation [Doc. No. 7] of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the Objection [Doc. No. 8] filed in this record,

**IT IS ORDERED, ADJUDGED AND DECREED** that McCaa's Petition for Writ of Habeas Corpus [Doc. No. 1] be **DENIED** and **DISMISSED WITH PREJUDICE**.

THUS DONE and signed in Chambers at Monroe, Louisiana, this 30<sup>th</sup> day of December, 2019.



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**Terry A. Doughty**  
**United States District Judge**